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*Attorney for Plaintiff Christopher Sadowski.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CHRISTOPHER SADOWSKI,

Plaintiff,

v.

SINOVISION INCORPORATED,

Defendant.

**Civil Action No. \_\_\_\_\_**  
*Document filed electronically*

**COMPLAINT**

- (1) COPYRIGHT INFRINGEMENT;  
(2) VIOLATION OF DIGITAL  
MILLENNIUM COPYRIGHT ACT,  
17 U.S.C.A. § 1201 *et. seq.*

**JURY TRIAL DEMANDED**

Plaintiff Christopher Sadowski, by and for his Complaint against Defendant  
Sinovision Incorporated ("Sinovision") does hereby assert and allege:

**I. STATEMENT OF ACTION**

1. This is an action by Mr. Sadowski, holder of all copyrights in certain  
photographs described herein, against Defendants for willful and intentional copyright  
infringement and violations of the Digital Millennium Copyright Act.

**II. PARTIES**

2. Plaintiff Christopher Sadowski is a United States citizen residing in New  
Jersey, at 46 Viola Avenue in Clifton, NJ.

3. Mr. Sadowski is a well-regarded professional photographer specializing in  
breaking news photography and photographs of newsworthy events and individuals.

4. Sinovision Incorporated ("Sinovision") is a corporation organized under the

1 laws of the state of Delaware, with a principal place of business at 15 East 40th Street in  
2 New York, NY.

3 5. Sinovision is the owner and operator of two 24-hour digital broadcast  
4 channels covering the greater New York Area, including a large swath of northern New  
5 Jersey.

6 6. Sinovision's broadcasts originate, at least in part, from a broadcast antenna  
7 located in Sussex County, New Jersey.

8 7. Sinovision is the owner and operator of the website available at  
9 <http://sinovision.net> (the "Sinovision Chinese Language Site," the "Sinovision Website," or  
10 the "Primary Website").

### 11 **III. JURISDICTION AND VENUE**

12 8. This is an action arising under the copyright laws of the United States, 17  
13 U.S.C. § 101 et. seq. and the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 1201 et.  
14 seq. Plaintiff seeks injunctive relief, monetary damages, statutory damages, punitive  
15 damages, interest, costs and attorney's fees under the copyright laws of the United States,  
16 the DMCA.

17 9. This Court has original jurisdiction over the subject matter of this action  
18 pursuant to 28 U.S.C. §§ 1331 and 1338.

19 10. Venue is appropriate in this District pursuant to 28 U.S.C. §§ 1391(a) and (b)  
20 and 28 U.S.C. § 1400(a).

### 21 **IV. FACTS COMMON TO ALL CLAIMS**

#### 22 **A. Sadowski's Copyright-Protected Photographs:**

23 11. Plaintiff Sadowski is an accomplished professional photographer residing in  
24 New Jersey.

25 12. Mr. Sadowski has been a professional photographer for at least 12 years, and  
26 spends significant time and effort in the creation of his photographs. While some of his  
27 photographs deal with popular or common subject matter, the photographs taken by Mr.  
28

1 Sadowski reflect his professional and creative choices and are uniquely his.

2 13. Mr. Sadowski's livelihood consists of the creation and licensing of his  
3 photographs.

4 14. Generally, Mr. Sadowski will respond to a news event or the appearance of a  
5 public personality, make the various necessary framing, lighting, exposure, and other  
6 relevant creative decisions, and create a photograph of the event or individual.

7 15. It is often (but not always) the case that Mr. Sadowski will then provide some  
8 or all of these photographs to the New York Post news organization, NYP Holdings, Inc., (the  
9 "NY Post") for their use.

10 16. The NY Post has used Mr. Sadowski's photographs on the NYPost.com  
11 website and on other affiliated internet properties, as well as in the print version of the  
12 New York Post newspaper.

13 17. Mr. Sadowski does not transfer or assign his copyright interest in any of these  
14 photographs to the NY Post, but instead grants the NY Post what amounts to a non-  
15 exclusive license.

16 18. With regard to any photographs provided by Mr. Sadowski to the NY Post –  
17 and in particular, each and every of the photographs that are the subject matter of this  
18 Complaint – copyright in those photographs vests and remains at all times with Mr.  
19 Sadowski. Mr. Sadowski retains all rights to any such photographs and does not grant  
20 permission or authority for its use by, or transfer to, any other person or entity.

21 19. Mr. Sadowski is under no obligation to offer his photographs exclusively to  
22 the NY Post; Mr. Sadowski is free to offer his photographs for license to any other entity at  
23 any time.

24 20. Mr. Sadowski has, in fact, licensed his various photographs to entities other  
25 than the NY Post at various times.

26 21. At all times relevant to this Complaint, whenever Mr. Sadowski has provided  
27 any photograph to the NY Post, Mr. Sadowski would convey in connection with each such  
28 photograph information including (a) his identity as the author of the photograph and (b)

his identity as the copyright owner of the work.

22. Mr. Sadowski would convey such information by including it in the metadata of each photograph.

23. As published by the NY Post, conveyed in connection with each picture is information including (a) Mr. Sadowski's identity as the author of the photograph and (b) Mr. Sadowski's identity as the copyright owner of the work.

24. As to all of the photographs directly relevant to this dispute (the "Infringed Photographs," defined more fully below), when published online by the NY Post, such information is conveyed by an on-screen photo credit placed in close proximity to the photograph in question.

25. As to all but three of the Infringed Photographs, such information is also conveyed by its inclusion in the metadata of the photograph.

26. As to any photographs provided by Mr. Sadowski to the NY Post and then published in print by the NY Post, the information is conveyed by a photo credit placed in close proximity to the photograph in question.

27. The information identifying Mr. Sadowski as the author of each photograph constitutes Copyright Management Information ("CMI") under the relevant sections of the DMCA.

28. The information identifying Mr. Sadowski as the copyright owner of each photograph is CMI under the DMCA.

**B. Sinovision's Business Model of Lifting Material from Other Websites:**

29. Sinovision owns and maintains the Sinovision Website, which provides, inter alia, certain news items in Chinese, including photographs.

30. The Sinovision Website is one of the most popular Chinese language websites in the United States, with an audience at least in the tens of millions.

31. Sinovision operates broadcast television channels with direct coverage blanketing a population of more than 30 million individuals.

1           32.     At least some of the articles provided by Sinovision at the Sinovision Website  
2 explicitly reference other news outlets, using language that is the functional equivalent of,  
3 “as reported in [some other news outlet.]”

4           33.     At least some of the articles Sinovision posts at the Sinovision Website  
5 explicitly reference the NY Post, making reference to the NY Post as the information source  
6 for the article in question.

7           34.     In fact, the majority of the news provided by the Sinovision Website is the  
8 result of the wholesale copying of news reports originally published at the NYPost.com  
9 website or other online news sources for local news.

10          35.     When ‘sourcing’ news from another online source, Sinovision will also simply  
11 lift the photographs published at those online sources as well, with no license and no  
12 attribution.

13          36.     The photos that Sinovision copies and posts to its website are not thumbnails.  
14 In fact, in some instances full-resolution/high-resolution versions of the photographs are  
15 available at a mere click.

16          37.     In two instances, as of the date of this Complaint, the full-resolution images  
17 **REMAIN AVAILABLE** at the Sinovision Website.

18          38.     The copied photographs at the Sinovision Website are not framed from the  
19 original site; the copied photographs at the Sinovision Website are not in-line links from the  
20 original site; the copied photographs at the Sinovision Website do not link back to the  
21 original source or site.

22          39.     The copied photographs at the Sinovision Website are entirely  
23 untransformed or modified from the originals from which they are copied, except in some  
24 rare instances there are cropping differences.

25          40.     In particular, as to those Sinovision articles that refer to the NY Post as the  
26 source of the information in question, the photographs accompanying those articles are  
27 simply copied from the NYPost.com website and used with the Sinovision article on the  
28 Sinovision Website.

1           41.     On information and belief, in every instance where Sinovision has sourced a  
2 news item from another website, any photos accompanying that news item have been  
3 copied from that other website.

4           42.     Plaintiff has given notice of the unauthorized copying and distribution to  
5 Sinovision on repeated occasions (as set forth more fully below), and while Sinovision has  
6 sometimes taken down the photographs, it wasn't long before Sinovision was infringing Mr.  
7 Sadowski's photographs again.

8           43.     It was only the threat of suit that eventually convinced Sinovision  
9 (apparently) to stop stealing Mr. Sadowski's photographs, although Plaintiff believes that  
10 given enough time, Sinovision would forget its caution and return to form.

11           44.     It is unknown to Plaintiff how many other photographers have been the  
12 victims of Sinovision's ongoing pattern of infringement. Plaintiff's belief, however, is that  
13 the number is not insignificant.

14           45.     Sinovision is a sophisticated content provider across different media  
15 channels, including the Sinovision Website, broadcast television, and print media.

16           46.     Even before Plaintiff's notice to Sinovision of the particular instances of  
17 infringement concerning the Infringed Photographs, Sinovision was very familiar with the  
18 United States copyright system, and at all times relevant to this Complaint Sinovision was  
19 well aware of the nature and consequences of copyright infringement.

20           **C.     Sinovision's Infringement of Sadowski's Photographs and Removal of**  
21           **Copyright Management Information - Generally.**

22           47.     At the center of this dispute are twenty-one photographs (collectively, the  
23 "Infringed Photographs"), enumerated more fully herein.

24           48.     Sinovision has, over the course of time, copied at least these twenty-one  
25 Infringed Photographs, publishing them on the Sinovision Website without license,  
26 permission, or consent.

27           49.     All of the Infringed Photographs were first published at the NYPost.com  
28 website, by the NY Post with the permission of Mr. Sadowski.

1           50.     The NY Post paid Mr. Sadowski for the right to use the Infringed Photographs  
2 in that manner.

3           51.     As they were originally published, Copyright Management Information was  
4 conveyed in connection with each and every of the Infringed Photographs.

5           52.     As they were originally published, almost all of the Infringed Photographs  
6 contained metadata identifying Mr. Sadowski as the author and copyright holder of the  
7 photographs and all of the Infringed Photographs included a photo credit in close proximity  
8 identifying Mr. Sadowski as the author of the photographs.

9           53.     Sinovision put up various web pages on the Sinovision Website with articles  
10 in Chinese discussing the same news items as certain pages at NYPost.com, and included on  
11 those pages unauthorized copies of the Infringed Photographs.

12           54.     In reproducing the Infringed Photographs on the Sinovision Website,  
13 Sinovision removed from each photograph the photo credit identifying Mr. Sadowski as the  
14 author of the photograph.

15           55.     In reproducing the Infringed Photographs on the Sinovision Website,  
16 Sinovision removed from each photograph the metadata identifying Mr. Sadowski as the  
17 author and copyright owner of the photograph.

18           56.     The removal by Sinovision of the CMI from the Infringed Photographs was  
19 done with knowledge that such removal would enable, facilitate, and conceal Sinovision's  
20 own copyright infringement.

21           57.     Through counsel, Mr. Sadowski has sent Sinovision multiple cease and desist  
22 letters, informing Sinovision of all but two instances of infringement.

23           58.     Each such letter has been sent by certified United States post, and return  
24 receipts for each such letter have been received.

25           59.     As to the final two instances of infringement, notice was given directly to  
26 Sinovision's counsel by phone and email.

27           60.     In some – but not all – instances of such notice, Sinovision did take down the  
28 infringing photographs.

1           61. In some instances of such notice, however, Sinovision did NOT take down the  
2 infringing photographs.

3           **D. Sinovision's Infringement of Mr. Sadowski's Photographs**  
4           **and Removal of Copyright Management Information – Particulars**

5           62. Photo 1066, titled "010310delays17CS:"

- 6           a. On or about October 19, 2012, the NY Post published at the NYPost.com site  
7 Mr. Sadowski's photograph hereafter referred to as Photo 1066, titled  
8 "010310delays17CS," a reproduction of which is included herewith at Exhibit  
9 A, labeled 1066-Original.
- 10          b. The copyright in Photo 1066 has been duly registered with the United States  
11 Copyright Office, registration # VA1-900-624, included herewith at Exhibit B.
- 12          c. As published, Photo 1066 included CMI; in particular it included text  
13 identifying Mr. Sadowski as the photographer.
- 14          d. At some date unknown to Plaintiff, but before April 2014, Sinovision  
15 published and distributed a copy of Photo 1066 on the Sinovision Website. A  
16 screen capture of that posting is included herewith at Exhibit A, labeled 1066-  
17 Infringing.
- 18          e. Moreover, a high resolution version of Photo 1066 was available at the  
19 Sinovision Website, accessible to anyone who simply "clicked" on the  
20 infringing image as published.
- 21          f. As published on the Sinovision Website, the CMI relevant to Photo 1066 has  
22 been removed. Such removal was without the authority of the copyright  
23 owner or the law.
- 24          g. Sinovision was informed of the infringement by a cease-and-desist letter  
25 dated April 28, 2014.
- 26          h. Sinovision did not take down Photo 1066 or respond to that letter.
- 27          i. Sinovision was again given notice of the infringement by mail in August 2014.
- 28          j. Sinovision still did not take down Photo1066 until approximately September



1 4, 2014, after the matter had been discussed by counsel for the parties.

2 63. Photo 1091, titled "010912subway1CS:"

- 3 a. On or about April 12, 2013, the NY Post published at the NYPost.com site Mr.  
4 Sadowski's photograph hereafter referred to as Photo 1091, titled  
5 "010912subway1CS," a reproduction of which is included herewith at Exhibit  
6 A, labeled 1091-Original.
- 7 b. The copyright in Photo 1091 has been duly registered with the United States  
8 Copyright Office, registration # VA1-901-342, included herewith at Exhibit B.
- 9 c. As published, Photo 1091 included CMI.
- 10 d. At some unknown date thereafter, but in or before March 2014, Sinovision  
11 published and distributed a copy of Photo 1091 on the Sinovision Website. A  
12 screen capture of that posting is included herewith at Exhibit A, labeled 1091-  
13 Infringing.
- 14 e. As published on the Sinovision Website, the CMI originally attached to  
15 Photo 1091 was removed.
- 16 f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
17 in or after March 2014.
- 18 g. Sinovision removed Photo 1091, but did not otherwise respond to that letter.

19 64. Photo 1096, titled "110711tanker11CS:"

- 20 a. On or about November 8, 2011, the NY Post published at the NYPost.com site  
21 Mr. Sadowski's photograph hereafter referred to as Photo 1096, titled  
22 "110711tanker11CS," a reproduction of which is included herewith at Exhibit  
23 A, labeled 1096-Original.
- 24 b. The copyright in Photo 1096 has been duly registered with the United States  
25 Copyright Office, registration # VA1-900-262, included herewith at Exhibit B.
- 26 c. As published, Photo 1096 included CMI.
- 27 d. At some unknown date thereafter, but in or before March 2014, Sinovision  
28 published and distributed a copy of Photo 1096 on the Sinovision Website. A

1 screen capture of that posting is included herewith at Exhibit A, labeled 1096-  
2 Infringing.

3 e. As published on the Sinovision Website, the CMI relevant to Photo 1096 was  
4 removed.

5 f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
6 in or after March 2014.

7 g. Sinovision removed Photo 1096, but did not otherwise respond to that letter.

8 65. Photo 1126,<sup>1</sup> titled "010114deblasio17CS:"

9 a. On or about January 1, 2014, the NY Post published at the NYPost.com site  
10 Mr. Sadowski's photograph hereafter referred to as Photo 1126, titled  
11 "010114deblasio17CS," a reproduction of which is included herewith at  
12 Exhibit A, labeled 1126-Original.

13 b. The copyright in Photo 1126 has been duly registered with the United States  
14 Copyright Office, registration # VA1-898-589, included herewith at Exhibit B.

15 c. As published, Photo 1126 included CMI.

16 d. At some date shortly thereafter, Sinovision published and distributed a copy  
17 of Photo 1126 on the Sinovision Website. A screen capture of that posting is  
18 included herewith at Exhibit A, labeled 1126-Infringing.

19 e. As published on the Sinovision Website, the CMI relevant to Photo 1126 was  
20 removed.

21 f. Sinovision was informed of the infringement by a cease-and-desist letter.

22 g. Sinovision did not take down Photo 1126 or respond to that letter.

23 h. Sinovision was again given notice of the infringement by mail in August 2014.

24 i. Sinovision still did not take down Photo 1126 until approximately September  
25 4, 2014, after the matter had been discussed by counsel for the parties.

26  
27 \_\_\_\_\_  
28 <sup>1</sup> In some of Plaintiff's communications with Defendant, this photo is referred to  
erroneously as Photo 1121.

1           66. Photo 1135, titled "051714homicide10CS:"

- 2           a. On or about May 18, 2014, the NY Post published at the NYPost.com site Mr.  
3           Sadowski's photograph hereafter referred to as Photo 1135, titled  
4           "051714homicide10CS," a reproduction of which is included herewith at  
5           Exhibit A, labeled 1135-Original.
- 6           b. The copyright in Photo 1135 has been duly registered with the United States  
7           Copyright Office, registration # VA1-920-057, included herewith at Exhibit B.
- 8           c. As published, Photo 1135 included CMI.
- 9           d. At some unknown date thereafter, but in or before August 2014, Sinovision  
10          used Photo 1135 as a still in an video, which Sinovision made available online,  
11          by which Sinovision published and distributed a copy of Photo 1135 on the  
12          Sinovision Website. A screen capture of that posting is included herewith at  
13          Exhibit A, labeled 1135-Infringing.
- 14          e. As posted on the Sinovision Website, the CMI attached to Photo 1135 was  
15          removed.
- 16          f. On information and belief, at some unknown date after publication of  
17          Photo 1135 in the NY Post, but in or before August 2014, Sinovision used  
18          Photo 1135 as a still in a video which was broadcast on Sinovision's television  
19          channel; the television broadcast is an act of publication and distribution  
20          separate and distinct from the inclusion of the Photo in a video posted online.
- 21          g. Sinovision was informed of the online infringement by a cease-and-desist  
22          letter sent on or around August 14, 2014.
- 23          h. Sinovision removed Photo 1135, but did not remit the settlement amounts  
24          demanded therein.

25          67. Photo 1136.01, titled "060514fire30CS:"

- 26          a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr.  
27          Sadowski's photograph hereafter referred to as Photo 1136.01, titled  
28          "060514fire30CS," a reproduction of which is included herewith at Exhibit A,

- 1 labeled 1136.01-Original.
- 2 b. The copyright in Photo 1136.01 has been duly registered with the United
- 3 States Copyright Office, registration # VA1-920-083, included herewith at
- 4 Exhibit B.
- 5 c. As published, Photo 1136.01 included CMI.
- 6 d. At some unknown date thereafter, but in or before August 2014, Sinovision
- 7 published and distributed a copy of Photo 1136.01 on the Sinovision Website.
- 8 A screen capture of that posting is included herewith at Exhibit A, labeled
- 9 1136.01-Infringing.
- 10 e. As posted on the Sinovision Website, the CMI attached to Photo 1136.01 was
- 11 removed.
- 12 f. Sinovision was informed of the infringement by a cease-and-desist letter sent
- 13 on or around August 14, 2014.
- 14 g. Sinovision removed Photo 1136.01, but did not remit the settlement amounts
- 15 demanded therein.
- 16 68. Photo 1136.02, titled "060514fire24CS:"
- 17 a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr.
- 18 Sadowski's photograph hereafter referred to as Photo 1136.02, titled
- 19 "060514fire24CS," a reproduction of which is included herewith at Exhibit A,
- 20 labeled 1136.02-Original.
- 21 b. The copyright in Photo 1136.02 has been duly registered with the United
- 22 States Copyright Office, registration # VA1-920-072, included herewith at
- 23 Exhibit B.
- 24 c. As published, Photo 1136.02 included CMI.
- 25 d. At some unknown date thereafter, but in or before August 2014, Sinovision
- 26 published and distributed a copy of Photo 1136.02 on the Sinovision Website.
- 27 A screen capture of that posting is included herewith at Exhibit A, labeled
- 28 1136.02-Infringing.

- 1 e. As posted on the Sinovision Website, the CMI attached to Photo 1136.02 was  
2 removed.
- 3 f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
4 on or around August 14, 2014.
- 5 g. Sinovision removed Photo 1136.02, but did not remit the settlement amounts  
6 demanded therein.
- 7 69. Photo 1136.03, titled "060514fire23CS:"
- 8 a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr.  
9 Sadowski's photograph hereafter referred to as Photo 1136.03, titled  
10 "060514fire23CS," a reproduction of which is included herewith at Exhibit A,  
11 labeled 1136.03-Original.
- 12 b. The copyright in Photo 1136.03 has been duly registered with the United  
13 States Copyright Office, registration # VA1-919-315 (group), included  
14 herewith at Exhibit B.
- 15 c. As published, Photo 1136.03 included CMI.
- 16 d. At some unknown date thereafter, but in or before August 2014, Sinovision  
17 published and distributed a copy of Photo 1136.03 on the Sinovision Website.  
18 A screen capture of that posting is included herewith at Exhibit A, labeled  
19 1136.03-Infringing.
- 20 e. As posted on the Sinovision Website, the CMI attached to Photo 1136.03 was  
21 removed.
- 22 f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
23 on or around August 14, 2014.
- 24 g. Sinovision removed Photo 1136.03, but did not remit the settlement amounts  
25 demanded therein.
- 26 70. Photo 1136.04, titled "060514fire33CS:"
- 27 a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr.  
28 Sadowski's photograph hereafter referred to as Photo 1136.04, titled

1           “060514fire33CS,” a reproduction of which is included herewith at Exhibit A,  
2           labeled 1136.04-Original.

- 3           b. The copyright in Photo 1136.04 has been duly registered with the United  
4           States Copyright Office, registration # VA1-920-090, included herewith at  
5           Exhibit B.
- 6           c. As published, Photo 1136.04 included CMI.
- 7           d. At some unknown date thereafter, but in or before August 2014, Sinovision  
8           published and distributed a copy of Photo 1136.04 on the Sinovision Website.  
9           A screen capture of that posting is included herewith at Exhibit A, labeled  
10          1136.04-Infringing.
- 11          e. As posted on the Sinovision Website, the CMI attached to Photo 1136.04 was  
12          removed.
- 13          f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
14          on or around August 14, 2014.
- 15          g. Sinovision removed Photo 1136.04, but did not remit the settlement amounts  
16          demanded therein.

17          71. Photo 1136.05, titled “060514fire17CS:”

- 18          a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr.  
19          Sadowski's photograph hereafter referred to as Photo 1136.05, titled  
20          “060514fire17CS,” a reproduction of which is included herewith at Exhibit A,  
21          labeled 1136.05-Original.
- 22          b. The copyright in Photo 1136.05 has been duly registered with the United  
23          States Copyright Office, registration # VA1-920-070, included herewith at  
24          Exhibit B.
- 25          c. As published, Photo 1136.05 included CMI.
- 26          d. At some unknown date thereafter, but in or before August 2014, Sinovision  
27          published and distributed a copy of Photo 1136.05 on the Sinovision Website.  
28          A screen capture of that posting is included herewith at Exhibit A, labeled

1 1136.05-Infringing.

2 e. As posted on the Sinovision Website, the CMI attached to Photo 1136.05 was  
3 removed.

4 f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
5 on or around August 14, 2014.

6 g. Sinovision removed Photo 1136.05, but did not remit the settlement amounts  
7 demanded therein.

8 72. Photo 1136.06, titled "060514fire32CS:"

9 a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr.  
10 Sadowski's photograph hereafter referred to as Photo 1136.06, titled  
11 "060514fire32CS," a reproduction of which is included herewith at Exhibit A,  
12 labeled 1136.06-Original.

13 b. The copyright in Photo 1136.06 has been duly registered with the United  
14 States Copyright Office, registration # VA1-920-089, included herewith at  
15 Exhibit B.

16 c. As published, Photo 1136.06 included CMI.

17 d. At some unknown date thereafter, but in or before August 2014, Sinovision  
18 published and distributed a copy of Photo 1136.06 on the Sinovision Website.  
19 A screen capture of that posting is included herewith at Exhibit A, labeled  
20 1136.06-Infringing.

21 e. As posted on the Sinovision Website, the CMI attached to Photo 1136.06 was  
22 removed.

23 f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
24 on or around August 14, 2014.

25 g. Sinovision removed Photo 1136.06, but did not remit the settlement amounts  
26 demanded therein.

27 73. Photo 1136.07, titled "060514fire1CS:"

28 a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr.

1 Sadowski's photograph hereafter referred to as Photo 1136.07, titled  
 2 "060514fire1CS," a reproduction of which is included herewith at Exhibit A,  
 3 labeled 1136.07-Original.

- 4 b. The copyright in Photo 1136.07 has been duly registered with the United  
 5 States Copyright Office, registration # VA1-919-315 (group), included  
 6 herewith at Exhibit B.
- 7 c. As published, Photo 1136.07 included CMI.
- 8 d. At some unknown date thereafter, but in or before August 2014, Sinovision  
 9 published and distributed a copy of Photo 1136.07 on the Sinovision Website.  
 10 A screen capture of that posting is included herewith at Exhibit A, labeled  
 11 1136.07-Infringing.
- 12 e. As posted on the Sinovision Website, the CMI attached to Photo 1136.07 was  
 13 removed.
- 14 f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
 15 on or around August 14, 2014.
- 16 g. Sinovision removed Photo 1136.07, but did not remit the settlement amounts  
 17 demanded therein.

18 74. Photo 1136.08, titled "060514fire27CS:"

- 19 a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr.  
 20 Sadowski's photograph hereafter referred to as Photo 1136.08, titled  
 21 "060514fire27CS," a reproduction of which is included herewith at Exhibit A,  
 22 labeled 1136.08-Original.
- 23 b. The copyright in Photo 1136.08 has been duly registered with the United  
 24 States Copyright Office, registration # VA1-920-079, included herewith at  
 25 Exhibit B.
- 26 c. As published, Photo 1136.08 included CMI.
- 27 d. At some unknown date thereafter, but in or before August 2014, Sinovision  
 28 published and distributed a copy of Photo 1136.08 on the Sinovision Website.



1 A screen capture of that posting is included herewith at Exhibit A, labeled  
2 1136.08-Infringing.

3 e. As posted on the Sinovision Website, the CMI attached to Photo 1136.08 was  
4 removed.

5 f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
6 on or around August 14, 2014.

7 g. Sinovision removed Photo 1136.08, but did not remit the settlement amounts  
8 demanded therein.

9 75. Photo 1136.09, titled "060514fire26CS:"

10 a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr.  
11 Sadowski's photograph hereafter referred to as Photo 1136.09, titled  
12 "060514fire26CS," a reproduction of which is included herewith at Exhibit A,  
13 labeled 1136.09-Original.

14 b. The copyright in Photo 1136.09 has been duly registered with the United  
15 States Copyright Office, registration # VA1-919-315 (group), included  
16 herewith at Exhibit B.

17 c. As published, Photo 1136.09 included CMI.

18 d. At some unknown date thereafter, but in or before August 2014, Sinovision  
19 published and distributed a copy of Photo 1136.09 on the Sinovision Website.

20 A screen capture of that posting is included herewith at Exhibit A, labeled  
21 1136.09-Infringing.

22 e. As posted on the Sinovision Website, the CMI attached to Photo 1136.09 was  
23 removed.

24 f. Sinovision was informed of the infringement by a cease-and-desist letter sent  
25 on or around August 14, 2014.

26 g. Sinovision removed Photo 1136.09, but did not remit the settlement amounts  
27 demanded therein.

28 76. Photo 1136.10, titled "060514fire34CS:"

- a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr. Sadowski's photograph hereafter referred to as Photo 1136.10, titled "060514fire34CS," a reproduction of which is included herewith at Exhibit A, labeled 1136.10-Original.
  - b. The copyright in Photo 1136.10 has been duly registered with the United States Copyright Office, registration # VA1-920-091, included herewith at Exhibit B.
  - c. As published, Photo 1136.10 included CMI.
  - d. At some unknown date thereafter, but in or before August 2014, Sinovision published and distributed a copy of Photo 1136.10 on the Sinovision Website. A screen capture of that posting is included herewith at Exhibit A, labeled 1136.10-Infringing.
  - e. As posted on the Sinovision Website, the CMI attached to Photo 1136.10 was removed.
  - f. Sinovision was informed of the infringement by a cease-and-desist letter sent on or around August 14, 2014.
  - g. Sinovision removed Photo 1136.10, but did not remit the settlement amounts demanded therein.
77. Photo 1136.11, titled "060514fire14CS:"
- a. On or about June 5, 2014, the NY Post published at the NYPost.com site Mr. Sadowski's photograph hereafter referred to as Photo 1136.11, titled "060514fire14CS," a reproduction of which is included herewith at Exhibit A, labeled 1136.11-Original.
  - b. The copyright in Photo 1136.11 has been duly registered with the United States Copyright Office, registration # VA1-920-068, included herewith at Exhibit B.
  - c. As published, Photo 1136.11 included CMI.
  - d. At some unknown date thereafter, but in or before August 2014, Sinovision

published and distributed a copy of Photo 1136.11 on the Sinovision Website. A screen capture of that posting is included herewith at Exhibit A, labeled 1136.11-Infringing.

- e. As posted on the Sinovision Website, the CMI attached to Photo 1136.11 was removed.
- f. Sinovision was informed of the infringement by a cease-and-desist letter sent on or around August 14, 2014.
- g. Sinovision removed Photo 1136.11, but did not remit the settlement amounts demanded therein.

78. Photo 1139, titled "011108subway4CS:"

- a. On or about May 10, 2014, the NY Post published at the NYPost.com site Mr. Sadowski's photograph hereafter referred to as Photo 1139, titled "011108subway4CS," a reproduction of which is included herewith at Exhibit A, labeled 1139-Original.
- b. The copyright in Photo 1139 has been duly registered with the United States Copyright Office, registration # VA1-920-041, included herewith at Exhibit B.
- c. As published, Photo 1139 included CMI.
- d. At some unknown date thereafter, but in or before August 2014, Sinovision published and distributed a copy of Photo 1139 on the Sinovision Website. A screen capture of that posting is included herewith at Exhibit A, labeled 1139-Infringing.
- e. Moreover, a high resolution version of Photo 1139 was available at the Sinovision Website, accessible to anyone who simply "clicked" on the infringing image as published.
- f. As of the date of this Complaint's preparation, the high-resolution photo **REMAINS AVAILABLE** at <<http://gate.sinovision.net:82/gate/big5/cdnwww.sinovision.net/data/attachment/portal/201405/10/13285155hbfzg319j41367.jpg>>.

- g. As posted on the Sinovision Website, the CMI attached to Photo 1139 was removed.
- h. Ironically, although the main posting at the Sinovision Website of Photo 1139 was without the relevant CMI, the high resolution version (still available as of the date of this Complaint) retains the metadata that identifies Plaintiff Sadowski as the “author” of the photograph.
- i. Sinovision was informed of the infringement by a cease-and-desist letter sent on or around August 14, 2014.
- j. Sinovision removed Photo 1139, but did not remit the settlement amounts demanded therein.

79. Photo 1141, titled “110109court1CS:”

- a. On or about June 9, 2014, the NY Post published at the NYPost.com site Mr. Sadowski's photograph hereafter referred to as Photo 1141, titled “110109court1CS,” a reproduction of which is included herewith at Exhibit A, labeled 1141-Original.
- b. The copyright in Photo 1141 has been duly registered with the United States Copyright Office, registration # VA1-920-093, included herewith at Exhibit B.
- c. As published, Photo 1141 included CMI.
- d. At some unknown date thereafter, but in or before August 2014, Sinovision published and distributed a copy of Photo 1141 on the Sinovision Website. A screen capture of that posting is included herewith at Exhibit A, labeled 1141-Infringing.
- e. Moreover, a full resolution version of Photo 1141 was available at the Sinovision Website, accessible to anyone who simply “clicked” on the infringing image as published.
- f. As of the date of this Complaint’s preparation, the full-resolution photo **REMAINS AVAILABLE** at <<http://gate.sinovision.net:82/gate/big5/cdnwww.sinovision.net/data/attachment/portal/201406/09/073732xgkkxe>

- 1 gj3dhj7717.jpg>.
- 2 g. As posted on the Sinovision Website, the CMI attached to Photo 1141 was
- 3 removed.
- 4 h. As with Photo 1139, the main posting of Photo 1141 at the Sinovision
- 5 Website had the CMI removed, but the full resolution version (still available
- 6 as of the date of this Complaint) retains the metadata identifying Chris
- 7 Sadowski as the “author” of the photograph.
- 8 i. Sinovision was informed of the infringement by a cease-and-desist letter sent
- 9 on or around August 14, 2014.
- 10 j. Sinovision removed Photo 1141, but did not remit the settlement amounts
- 11 demanded therein.
- 12 80. Photo 1157, titled “102612handcuffs12CS:”
- 13 a. On or about August 3, 2014, the NY Post published at the NYPost.com site Mr.
- 14 Sadowski's photograph hereafter referred to as Photo 1157, titled
- 15 “102612handcuffs12CS,” a reproduction of which is included herewith at
- 16 Exhibit A, labeled 1157-Original.
- 17 b. The copyright in Photo 1157 has been duly registered with the United States
- 18 Copyright Office, registration # VA1-925-762 (group), included herewith at
- 19 Exhibit B.
- 20 c. As published, Photo 1157 included CMI.
- 21 d. At some unknown date thereafter, but in or before August 2014, Sinovision
- 22 published and distributed a copy of Photo 1157 on the Sinovision Website. A
- 23 screen capture of that posting is included herewith at Exhibit A, labeled 1157-
- 24 Infringing.
- 25 e. Moreover, a high-resolution version of Photo 1157 was available at the
- 26 Sinovision Website, accessible to anyone who simply “clicked” on the
- 27 infringing image as published.
- 28 f. As posted on the Sinovision Website, the CMI attached to Photo 1157 was

1 removed.

2 g. Sinovision was informed of the infringement by a cease-and-desist letter sent  
3 on or around August 14, 2014.

4 h. Sinovision removed Photo 1157, but did not remit the settlement amounts  
5 demanded therein.

6 81. Photo 1174.01, titled "081614stabbing19CS:"

7 a. On or about August 16, 2014, the NY Post published at the NYPost.com site  
8 Mr. Sadowski's photograph hereafter referred to as Photo 1174.01, titled  
9 "081614stabbing19CS," a reproduction of which is included herewith at  
10 Exhibit A, labeled 1174.01-Original.

11 b. The copyright in Photo 1174.01 has been duly registered with the United  
12 States Copyright Office, registration # VA1-925-762 (group), included  
13 herewith at Exhibit B.

14 c. As published, Photo 1174.01 included CMI.

15 d. At some unknown date thereafter, but in or before August 2014, Sinovision  
16 published and distributed a copy of Photo 1174.01 on the Sinovision Website.  
17 A screen capture of that posting is included herewith at Exhibit A, labeled  
18 1174.01-Infringing.

19 e. As posted on the Sinovision Website, the CMI attached to Photo 1174.01 was  
20 removed.

21 f. Sinovision was informed of the infringement by a telephone call with their  
22 counsel and a follow-up email on or around September 4, 2014.

23 g. Sinovision removed Photo 1174.01, but did not remit the settlement amounts  
24 demanded therein.

25 82. Photo 1174.02, titled "081614stabbing4CS:"

26 a. On or about August 16, 2014, the NY Post published at the NYPost.com site  
27 Mr. Sadowski's photograph hereafter referred to as Photo 1174.02, titled  
28 "081614stabbing4CS," a reproduction of which is included herewith at

Exhibit A, labeled 1174.02-Original.

- b. The copyright in Photo 1174.02 has been duly registered with the United States Copyright Office, registration # VA1-925-762 (group), included herewith at Exhibit B.
- c. As published, Photo 1174.02 included CMI.
- d. At some unknown date thereafter, but in or before August 2014, Sinovision published and distributed a copy of Photo 1174.02 on the Sinovision Website. A screen capture of that posting is included herewith at Exhibit A, labeled 1174.02-Infringing.
- e. As posted on the Sinovision Website, the CMI attached to Photo 1174.02 was removed.
- f. Sinovision was informed of the infringement by a telephone call with their counsel and a follow-up email on or around September 4, 2014.
- g. Sinovision removed Photo 1174.02, but did not remit the settlement amounts demanded therein.

83. Photo 1066, Photo 1091, Photo 1096, Photo 1126, Photo 1135, Photo 1136.01, Photo 1136.02, Photo 1136.03, Photo 1136.04, Photo 1136.05, Photo 1136.06, Photo 1136.07, Photo 1136.08, Photo 1136.09, Photo 1136.10, Photo 1136.11, Photo 1139, Photo 1141, Photo 1157, Photo 1174.01, Photo 1174.02, collectively, are the "Infringed Photographs."

## **V. CLAIMS FOR RELIEF**

### **FIRST CAUSE OF ACTION** **COPYRIGHT INFRINGEMENT AS TO PHOTO 1066**

84. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

85. Plaintiff is the owner of a valid and subsisting copyright in Photo 1066.

86. By the acts heretofore described, Sinovision did willfully and intentionally reproduce and distribute Photo 1066, including the original constituents thereof.

1           87.     Plaintiff has been harmed thereby.

2                                   **SECOND CAUSE OF ACTION**  
3                                   **COPYRIGHT INFRINGEMENT AS TO PHOTO 1091**

4           88.     Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
5 if fully set forth herein.

6           89.     Plaintiff is the owner of a valid and subsisting copyright in Photo 1091.

7           90.     By the acts heretofore described, Sinovision did willfully and intentionally  
8 reproduce and distribute Photo 1091, including the original constituents thereof.

9           91.     Plaintiff has been harmed thereby.

10                                   **THIRD CAUSE OF ACTION**  
11                                   **COPYRIGHT INFRINGEMENT AS TO PHOTO 1096**

12           92.     Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
13 if fully set forth herein.

14           93.     Plaintiff is the owner of a valid and subsisting copyright in Photo 1096.

15           94.     By the acts heretofore described, Sinovision did willfully and intentionally  
16 reproduce and distribute Photo 1096, including the original constituents thereof.

17           95.     Plaintiff has been harmed thereby.

18                                   **FOURTH CAUSE OF ACTION**  
19                                   **COPYRIGHT INFRINGEMENT AS TO PHOTO 1126**

20           96.     Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
21 if fully set forth herein.

22           97.     Plaintiff is the owner of a valid and subsisting copyright in Photo 1126.

23           98.     By the acts heretofore described, Sinovision did willfully and intentionally  
24 reproduce and distribute Photo 1126, including the original constituents thereof.

25           99.     Plaintiff has been harmed thereby.

26                                   **FIFTH CAUSE OF ACTION**  
27                                   **COPYRIGHT INFRINGEMENT AS TO PHOTO 1135 - ONLINE**

28           100.    Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
if fully set forth herein.

          101.    Plaintiff is the owner of a valid and subsisting copyright in Photo 1135.



1           102. By the acts heretofore described, in particular those concerning the posting of an  
2 online video including Photo 1135, Sinovision did willfully and intentionally reproduce and  
3 distribute Photo 1135, including the original constituents thereof.

4           103. Plaintiff has been harmed thereby.

5                                   **SIXTH CAUSE OF ACTION**  
6                                   **COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.01**

7           104. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
8 if fully set forth herein.

9           105. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.01.

10          106. By the acts heretofore described, Sinovision did willfully and intentionally  
11 reproduce and distribute Photo 1136.01, including the original constituents thereof.

12          107. Plaintiff has been harmed thereby.

13                                   **SEVENTH CAUSE OF ACTION**  
14                                   **COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.02**

15          108. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
16 if fully set forth herein.

17          109. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.02.

18          110. By the acts heretofore described, Sinovision did willfully and intentionally  
19 reproduce and distribute Photo 1136.02, including the original constituents thereof.

20          111. Plaintiff has been harmed thereby.

21                                   **EIGHTH CAUSE OF ACTION**  
22                                   **COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.03**

23          112. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
24 if fully set forth herein.

25          113. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.03.

26          114. By the acts heretofore described, Sinovision did willfully and intentionally  
27 reproduce and distribute Photo 1136.03, including the original constituents thereof.

28          115. Plaintiff has been harmed thereby.

**NINTH CAUSE OF ACTION**  
**COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.04**

116. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

117. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.04.

118. By the acts heretofore described, Sinovision did willfully and intentionally reproduce and distribute Photo 1136.04, including the original constituents thereof.

119. Plaintiff has been harmed thereby.

**TENTH CAUSE OF ACTION**  
**COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.05**

120. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

121. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.05.

122. By the acts heretofore described, Sinovision did willfully and intentionally reproduce and distribute Photo 1136.05, including the original constituents thereof.

123. Plaintiff has been harmed thereby.

**ELEVENTH CAUSE OF ACTION**  
**COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.06**

124. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

125. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.06.

126. By the acts heretofore described, Sinovision did willfully and intentionally reproduce and distribute Photo 1136.06, including the original constituents thereof.

127. Plaintiff has been harmed thereby.

**TWELFTH CAUSE OF ACTION**  
**COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.07**

128. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

129. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.07.

130. By the acts heretofore described, Sinovision did willfully and intentionally

1 reproduce and distribute Photo 1136.07, including the original constituents thereof.

2 131. Plaintiff has been harmed thereby.

3 **THIRTEENTH CAUSE OF ACTION**  
4 **COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.08**

5 132. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
6 if fully set forth herein.

7 133. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.08.

8 134. By the acts heretofore described, Sinovision did willfully and intentionally  
9 reproduce and distribute Photo 1136.08, including the original constituents thereof.

10 135. Plaintiff has been harmed thereby.

11 **FOURTEENTH CAUSE OF ACTION**  
12 **COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.09**

13 136. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
14 if fully set forth herein.

15 137. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.09.

16 138. By the acts heretofore described, Sinovision did willfully and intentionally  
17 reproduce and distribute Photo 1136.09, including the original constituents thereof.

18 139. Plaintiff has been harmed thereby.

19 **FIFTEENTH CAUSE OF ACTION**  
20 **COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.10**

21 140. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
22 if fully set forth herein.

23 141. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.10.

24 142. By the acts heretofore described, Sinovision did willfully and intentionally  
25 reproduce and distribute Photo 1136.10, including the original constituents thereof.

26 143. Plaintiff has been harmed thereby.

27 **SIXTEENTH CAUSE OF ACTION**  
28 **COPYRIGHT INFRINGEMENT AS TO PHOTO 1136.11**

144. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
if fully set forth herein.

1           145. Plaintiff is the owner of a valid and subsisting copyright in Photo 1136.11.

2           146. By the acts heretofore described, Sinovision did willfully and intentionally  
3 reproduce and distribute Photo 1136.11, including the original constituents thereof.

4           147. Plaintiff has been harmed thereby.

5                           **SEVENTEENTH CAUSE OF ACTION**  
6                           **COPYRIGHT INFRINGEMENT AS TO PHOTO 1139**

7           148. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
8 if fully set forth herein.

9           149. Plaintiff is the owner of a valid and subsisting copyright in Photo 1139.

10           150. By the acts heretofore described, Sinovision did willfully and intentionally  
11 reproduce and distribute Photo 1139, including the original constituents thereof.

12           151. Plaintiff has been harmed thereby.

13                           **EIGHTEENTH CAUSE OF ACTION**  
14                           **COPYRIGHT INFRINGEMENT AS TO PHOTO 1141**

15           152. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
16 if fully set forth herein.

17           153. Plaintiff is the owner of a valid and subsisting copyright in Photo 1141.

18           154. By the acts heretofore described, Sinovision did willfully and intentionally  
19 reproduce and distribute Photo 1141, including the original constituents thereof.

20           155. Plaintiff has been harmed thereby.

21                           **NINETEENTH CAUSE OF ACTION**  
22                           **COPYRIGHT INFRINGEMENT AS TO PHOTO 1157**

23           156. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
24 if fully set forth herein.

25           157. Plaintiff is the owner of a valid and subsisting copyright in Photo 1157.

26           158. By the acts heretofore described, Sinovision did willfully and intentionally  
27 reproduce and distribute Photo 1157, including the original constituents thereof.

28           159. Plaintiff has been harmed thereby.

**TWENTIETH CAUSE OF ACTION**  
**COPYRIGHT INFRINGEMENT AS TO PHOTO 1174.01**

160. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

161. Plaintiff is the owner of a valid and subsisting copyright in Photo 1174.01.

162. By the acts heretofore described, Sinovision did willfully and intentionally reproduce and distribute Photo 1174.01, including the original constituents thereof.

163. Plaintiff has been harmed thereby.

**TWENTY-FIRST CAUSE OF ACTION**  
**COPYRIGHT INFRINGEMENT AS TO PHOTO 1174.02**

164. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

165. Plaintiff is the owner of a valid and subsisting copyright in Photo 1174.02.

166. By the acts heretofore described, Sinovision did willfully and intentionally reproduce and distribute Photo 1174.02, including the original constituents thereof.

167. Plaintiff has been harmed thereby.

**TWENTY-SECOND CAUSE OF ACTION**  
**REMOVAL OF CMI AS TO PHOTO 1066**

168. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

169. By the acts heretofore described, Sinovision did intentionally remove copyright management information from Photo 1066.

170. Said removal of CMI was without authority of law and without authority of the copyright holder.

171. By the acts heretofore described, Sinovision did distribute copies of Photo 1066, knowing that copyright management information had been removed or altered without authority of the copyright owner or the law.

172. Said removal, distribution, and publication were done with the knowledge that it would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1066, and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or

1 facilitate the further infringement of Photo 1066 by others.

2 173. Plaintiff has been harmed thereby.

3 **TWENTY-THIRD CAUSE OF ACTION**  
4 **REMOVAL OF CMI AS TO PHOTO 1091**

5 174. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
6 if fully set forth herein.

7 175. By the acts heretofore described, Sinovision did intentionally remove copyright  
8 management information from Photo 1091.

9 176. Said removal of CMI was without authority of law and without authority of the  
10 copyright holder.

11 177. By the acts heretofore described, Sinovision did distribute copies of Photo 1091,  
12 knowing that copyright management information had been removed or altered without authority  
13 of the copyright owner or the law.

14 178. Said removal, distribution, and publication were done with the knowledge that it  
15 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1091,  
16 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
17 facilitate the further infringement of Photo 1091 by others.

18 179. Plaintiff has been harmed thereby.

19 **TWENTY-FOURTH CAUSE OF ACTION**  
20 **REMOVAL OF CMI AS TO PHOTO 1096**

21 180. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
22 if fully set forth herein.

23 181. By the acts heretofore described, Sinovision did intentionally remove copyright  
24 management information from Photo 1096.

25 182. Said removal of CMI was without authority of law and without authority of the  
26 copyright holder.

27 183. By the acts heretofore described, Sinovision did distribute copies of Photo 1096,  
28 knowing that copyright management information had been removed or altered without authority  
of the copyright owner or the law.

184. Said removal, distribution, and publication were done with the knowledge that it would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1096, and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or facilitate the further infringement of Photo 1096 by others.

185. Plaintiff has been harmed thereby.

**TWENTY-FIFTH CAUSE OF ACTION**  
**REMOVAL OF CMI AS TO PHOTO 1126**

186. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

187. By the acts heretofore described, Sinovision did intentionally remove copyright management information from Photo 1126.

188. Said removal of CMI was without authority of law and without authority of the copyright holder.

189. By the acts heretofore described, Sinovision did distribute copies of Photo 1126, knowing that copyright management information had been removed or altered without authority of the copyright owner or the law.

190. Said removal, distribution, and publication were done with the knowledge that it would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1126, and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or facilitate the further infringement of Photo 1126 by others.

191. Plaintiff has been harmed thereby.

**TWENTY-SIXTH CAUSE OF ACTION**  
**REMOVAL OF CMI AS TO PHOTO 1135 - ONLINE**

192. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

193. By the acts heretofore described, in particular those concerning the posting of an online video including Photo 1135, Sinovision did intentionally remove copyright management information from Photo 1135.

194. Said removal of CMI was without authority of law and without authority of the

1 copyright holder.

2 195. By the acts heretofore described, in particular those concerning the posting of an  
3 online video including Photo 1135, Sinovision did distribute copies of Photo 1135, knowing that  
4 copyright management information had been removed or altered without authority of the  
5 copyright owner or the law.

6 196. Said removal, distribution, and publication were done with the knowledge that it  
7 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1135,  
8 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
9 facilitate the further infringement of Photo 1135 by others.

10 197. Plaintiff has been harmed thereby.

11 **TWENTY-SEVENTH CAUSE OF ACTION**  
12 **REMOVAL OF CMI AS TO PHOTO 1136.01**

13 198. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
14 if fully set forth herein.

15 199. By the acts heretofore described, Sinovision did intentionally remove copyright  
16 management information from Photo 1136.01.

17 200. Said removal of CMI was without authority of law and without authority of the  
18 copyright holder.

19 201. By the acts heretofore described, Sinovision did distribute copies of  
20 Photo 1136.01, knowing that copyright management information had been removed or altered  
21 without authority of the copyright owner or the law.

22 202. Said removal, distribution, and publication were done with the knowledge that it  
23 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.01,  
24 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
25 facilitate the further infringement of Photo 1136.01 by others.

26 203. Plaintiff has been harmed thereby.

27 **TWENTY-EIGHTH CAUSE OF ACTION**  
28 **REMOVAL OF CMI AS TO PHOTO 1136.02**

204. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as



1 if fully set forth herein.

2       205. By the acts heretofore described, Sinovision did intentionally remove copyright  
3 management information from Photo 1136.02.

4       206. Said removal of CMI was without authority of law and without authority of the  
5 copyright holder.

6       207. By the acts heretofore described, Sinovision did distribute copies of  
7 Photo 1136.02, knowing that copyright management information had been removed or altered  
8 without authority of the copyright owner or the law.

9       208. Said removal, distribution, and publication were done with the knowledge that it  
10 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.02,  
11 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
12 facilitate the further infringement of Photo 1136.02 by others.

13       209. Plaintiff has been harmed thereby.

14                                   **TWENTY-NINTH CAUSE OF ACTION**  
15                                   **REMOVAL OF CMI AS TO PHOTO 1136.03**

16       210. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
17 if fully set forth herein.

18       211. By the acts heretofore described, Sinovision did intentionally remove copyright  
19 management information from Photo 1136.03.

20       212. Said removal of CMI was without authority of law and without authority of the  
21 copyright holder.

22       213. By the acts heretofore described, Sinovision did distribute copies of  
23 Photo 1136.03, knowing that copyright management information had been removed or altered  
24 without authority of the copyright owner or the law.

25       214. Said removal, distribution, and publication were done with the knowledge that it  
26 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.03,  
27 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
28 facilitate the further infringement of Photo 1136.03 by others.

1           215. Plaintiff has been harmed thereby.

2                                   **THIRTIETH CAUSE OF ACTION**  
3                                   **REMOVAL OF CMI AS TO PHOTO 1136.04**

4           216. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
5 if fully set forth herein.

6           217. By the acts heretofore described, Sinovision did intentionally remove copyright  
7 management information from Photo 1136.04.

8           218. Said removal of CMI was without authority of law and without authority of the  
9 copyright holder.

10          219. By the acts heretofore described, Sinovision did distribute copies of  
11 Photo 1136.04, knowing that copyright management information had been removed or altered  
12 without authority of the copyright owner or the law.

13          220. Said removal, distribution, and publication were done with the knowledge that it  
14 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.04,  
15 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
16 facilitate the further infringement of Photo 1136.04 by others.

17          221. Plaintiff has been harmed thereby.

18                                   **THIRTY-FIRST CAUSE OF ACTION**  
19                                   **REMOVAL OF CMI AS TO PHOTO 1136.05**

20          222. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
21 if fully set forth herein.

22          223. By the acts heretofore described, Sinovision did intentionally remove copyright  
23 management information from Photo 1136.05.

24          224. Said removal of CMI was without authority of law and without authority of the  
25 copyright holder.

26          225. By the acts heretofore described, Sinovision did distribute copies of  
27 Photo 1136.05, knowing that copyright management information had been removed or altered  
28 without authority of the copyright owner or the law.

29          226. Said removal, distribution, and publication were done with the knowledge that it

1 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.05,  
2 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
3 facilitate the further infringement of Photo 1136.05 by others.

4 227. Plaintiff has been harmed thereby.

5 **THIRTY-SECOND CAUSE OF ACTION**  
6 **REMOVAL OF CMI AS TO PHOTO 1136.06**

7 228. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
8 if fully set forth herein.

9 229. By the acts heretofore described, Sinovision did intentionally remove copyright  
10 management information from Photo 1136.06.

11 230. Said removal of CMI was without authority of law and without authority of the  
12 copyright holder.

13 231. By the acts heretofore described, Sinovision did distribute copies of  
14 Photo 1136.06, knowing that copyright management information had been removed or altered  
15 without authority of the copyright owner or the law.

16 232. Said removal, distribution, and publication were done with the knowledge that it  
17 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.06,  
18 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
19 facilitate the further infringement of Photo 1136.06 by others.

20 233. Plaintiff has been harmed thereby.

21 **THIRTY-THIRD CAUSE OF ACTION**  
22 **REMOVAL OF CMI AS TO PHOTO 1136.07**

23 234. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
24 if fully set forth herein.

25 235. By the acts heretofore described, Sinovision did intentionally remove copyright  
26 management information from Photo 1136.07.

27 236. Said removal of CMI was without authority of law and without authority of the  
28 copyright holder.

237. By the acts heretofore described, Sinovision did distribute copies of

1 Photo 1136.07, knowing that copyright management information had been removed or altered  
2 without authority of the copyright owner or the law.

3 238. Said removal, distribution, and publication were done with the knowledge that it  
4 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.07,  
5 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
6 facilitate the further infringement of Photo 1136.07 by others.

7 239. Plaintiff has been harmed thereby.

8 **THIRTY-FOURTH CAUSE OF ACTION**  
9 **REMOVAL OF CMI AS TO PHOTO 1136.08**

10 240. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
11 if fully set forth herein.

12 241. By the acts heretofore described, Sinovision did intentionally remove copyright  
13 management information from Photo 1136.08.

14 242. Said removal of CMI was without authority of law and without authority of the  
15 copyright holder.

16 243. By the acts heretofore described, Sinovision did distribute copies of  
17 Photo 1136.08, knowing that copyright management information had been removed or altered  
18 without authority of the copyright owner or the law.

19 244. Said removal, distribution, and publication were done with the knowledge that it  
20 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.08,  
21 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
22 facilitate the further infringement of Photo 1136.08 by others.

23 245. Plaintiff has been harmed thereby.

24 **THIRTY-FIFTH CAUSE OF ACTION**  
25 **REMOVAL OF CMI AS TO PHOTO 1136.09**

26 246. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
27 if fully set forth herein.

28 247. By the acts heretofore described, Sinovision did intentionally remove copyright  
management information from Photo 1136.09.

248. Said removal of CMI was without authority of law and without authority of the copyright holder.

249. By the acts heretofore described, Sinovision did distribute copies of Photo 1136.09, knowing that copyright management information had been removed or altered without authority of the copyright owner or the law.

250. Said removal, distribution, and publication were done with the knowledge that it would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.09, and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or facilitate the further infringement of Photo 1136.09 by others.

251. Plaintiff has been harmed thereby.

**THIRTY-SIXTH CAUSE OF ACTION**  
**REMOVAL OF CMI AS TO PHOTO 1136.10**

252. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as if fully set forth herein.

253. By the acts heretofore described, Sinovision did intentionally remove copyright management information from Photo 1136.10.

254. Said removal of CMI was without authority of law and without authority of the copyright holder.

255. By the acts heretofore described, Sinovision did distribute copies of Photo 1136.10, knowing that copyright management information had been removed or altered without authority of the copyright owner or the law.

256. Said removal, distribution, and publication were done with the knowledge that it would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.10, and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or facilitate the further infringement of Photo 1136.10 by others.

257. Plaintiff has been harmed thereby.

**THIRTY-SEVENTH CAUSE OF ACTION**  
**REMOVAL OF CMI AS TO PHOTO 1136.11**

258. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as

1 if fully set forth herein.

2 259. By the acts heretofore described, Sinovision did intentionally remove copyright  
3 management information from Photo 1136.11.

4 260. Said removal of CMI was without authority of law and without authority of the  
5 copyright holder.

6 261. By the acts heretofore described, Sinovision did distribute copies of  
7 Photo 1136.11, knowing that copyright management information had been removed or altered  
8 without authority of the copyright owner or the law.

9 262. Said removal, distribution, and publication were done with the knowledge that it  
10 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1136.11,  
11 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
12 facilitate the further infringement of Photo 1136.11 by others.

13 263. Plaintiff has been harmed thereby.

14 **THIRTY-EIGHTH CAUSE OF ACTION**  
15 **REMOVAL OF CMI AS TO PHOTO 1139**

16 264. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
17 if fully set forth herein.

18 265. By the acts heretofore described, Sinovision did intentionally remove copyright  
19 management information from Photo 1139.

20 266. Said removal of CMI was without authority of law and without authority of the  
21 copyright holder.

22 267. By the acts heretofore described, Sinovision did distribute copies of Photo 1139,  
23 knowing that copyright management information had been removed or altered without authority  
24 of the copyright owner or the law.

25 268. Said removal, distribution, and publication were done with the knowledge that it  
26 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1139,  
27 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
28 facilitate the further infringement of Photo 1139 by others.

1           269. Plaintiff has been harmed thereby.

2                                   **THIRTY-NINTH CAUSE OF ACTION**  
3                                   **REMOVAL OF CMI AS TO PHOTO 1141**

4           270. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
5 if fully set forth herein.

6           271. By the acts heretofore described, Sinovision did intentionally remove copyright  
7 management information from Photo 1141.

8           272. Said removal of CMI was without authority of law and without authority of the  
9 copyright holder.

10          273. By the acts heretofore described, Sinovision did distribute copies of Photo 1141,  
11 knowing that copyright management information had been removed or altered without authority  
12 of the copyright owner or the law.

13          274. Said removal, distribution, and publication were done with the knowledge that it  
14 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1141,  
15 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
16 facilitate the further infringement of Photo 1141 by others.

17          275. Plaintiff has been harmed thereby.

18                                   **FORTIETH CAUSE OF ACTION**  
19                                   **REMOVAL OF CMI AS TO PHOTO 1157**

20          276. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
21 if fully set forth herein.

22          277. By the acts heretofore described, Sinovision did intentionally remove copyright  
23 management information from Photo 1157.

24          278. Said removal of CMI was without authority of law and without authority of the  
25 copyright holder.

26          279. By the acts heretofore described, Sinovision did distribute copies of Photo 1157,  
27 knowing that copyright management information had been removed or altered without authority  
28 of the copyright owner or the law.

28          280. Said removal, distribution, and publication were done with the knowledge that it

1 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1157,  
2 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
3 facilitate the further infringement of Photo 1157 by others.

4 281. Plaintiff has been harmed thereby.

5 **FORTY-FIRST CAUSE OF ACTION**  
6 **REMOVAL OF CMI AS TO PHOTO 1174.01**

7 282. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
8 if fully set forth herein.

9 283. By the acts heretofore described, Sinovision did intentionally remove copyright  
10 management information from Photo 1174.01.

11 284. Said removal of CMI was without authority of law and without authority of the  
12 copyright holder.

13 285. By the acts heretofore described, Sinovision did distribute copies of  
14 Photo 1174.01, knowing that copyright management information had been removed or altered  
15 without authority of the copyright owner or the law.

16 286. Said removal, distribution, and publication were done with the knowledge that it  
17 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1174.01,  
18 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
19 facilitate the further infringement of Photo 1174.01 by others.

20 287. Plaintiff has been harmed thereby.

21 **FORTY-SECOND CAUSE OF ACTION**  
22 **REMOVAL OF CMI AS TO PHOTO 1174.02**

23 288. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
24 if fully set forth herein.

25 289. By the acts heretofore described, Sinovision did intentionally remove copyright  
26 management information from Photo 1174.02.

27 290. Said removal of CMI was without authority of law and without authority of the  
28 copyright holder.

29 291. By the acts heretofore described, Sinovision did distribute copies of



1 Photo 1174.02, knowing that copyright management information had been removed or altered  
2 without authority of the copyright owner or the law.

3 292. Said removal, distribution, and publication were done with the knowledge that it  
4 would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1174.02,  
5 and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or  
6 facilitate the further infringement of Photo 1174.02 by others.

7 293. Plaintiff has been harmed thereby.

8 **FORTY-THIRD CAUSE OF ACTION**  
9 **COPYRIGHT INFRINGEMENT AS TO PHOTO 1135 - BROADCAST**

10 294. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
11 if fully set forth herein.

12 295. Plaintiff is the owner of a valid and subsisting copyright in Photo 1135.

13 296. By the acts heretofore described, in particular those concerning the television  
14 broadcast of the video including Photo 1135, Sinovision did willfully and intentionally reproduce  
15 and distribute Photo 1135, including the original constituents thereof.

16 297. Plaintiff has been harmed thereby.

17 **FORTY-FOURTH CAUSE OF ACTION**  
18 **REMOVAL OF CMI AS TO PHOTO 1135 - BROADCAST**

19 298. Plaintiff repeats and realleges the allegations in paragraphs 1 through 83 above as  
20 if fully set forth herein.

21 299. By the acts heretofore described, in particular those concerning the television  
22 broadcast of the video including Photo 1135, Sinovision did intentionally remove copyright  
23 management information from Photo 1135.

24 300. Said removal of CMI was without authority of law and without authority of the  
25 copyright holder.

26 301. By the acts heretofore described, in particular those concerning the television  
27 broadcast of the video including Photo 1135, Sinovision did distribute copies of Photo 1135,  
28 knowing that copyright management information had been removed or altered without authority  
of the copyright owner or the law.

302. Said removal, distribution, and publication were done with the knowledge that it would enable, facilitate, or conceal Sinovision's own copyright infringement as to Photo 1135, and with knowledge or reasonable grounds for the knowledge that it would induce, enable, or facilitate the further infringement of Photo 1135 by others.

303. Plaintiff has been harmed thereby.

# **VI. PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for judgment against Defendant as follows:

A. Damages for copyright infringement, not less than \$2,700,000.00.

B. Damages for the violation of the Digital Millennium Copyright Act, not less than \$525,000.00.

C. An injunction against Defendant and anyone working in concert with them from copying, displaying, distributing, advertising, promoting, selling or offering to sell any of the Infringed Photographs or any other of Plaintiff's photographs now or in the future;

D. Reasonable attorney's fees, court costs, expert witness fees, interest and all other amounts authorized under applicable state or federal law; and

E. For such other and further relief as the Court deems just and equitable.

Dated: March 23, 2015

By: /s/Ben D Manevitz/  
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*Attorneys for  
 Plaintiff Christopher Sadowski*

**DEMAND FOR TRIAL BY JURY**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure}}, Plaintiffs demand a trial by jury on all questions of fact raised by the Complaint.

Dated: March 23, 2015

By: /s/Ben D Manevitz/  
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